

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**LAQUON ASHTON (1)**

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§

**CRIMINAL NO. 4:21-CR-298-ALM-CAN-1**

**REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the Government's request for revocation of Defendant's supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on April 5, 2022, to determine whether Defendant violated his supervised release. Defendant was represented by Brian O'Shea. The Government was represented by Will Tatum.

On March 13, 2014, Defendant was sentenced in the United States District Court for the Western District of Louisiana to forty-eight (48) months imprisonment, five (5) years of supervised release, and a special assessment fee of \$100. On January 17, 2017, Defendant's term of imprisonment was reduced to thirty-nine (39) months. Defendant began his term of supervised release in 2017, and on November 5, 2018, jurisdiction was transferred to the Northern District of Texas for supervision of release. In October 8, 2021, jurisdiction was transferred to the Eastern District of Texas for supervision of release. The case was assigned to United States District Judge Amos L. Mazzant.

On February 7, 2022, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender under Supervision (the "Petition") (Dkt. 2). The Petition asserts Defendant violated the following conditions of supervision: (1) Defendant shall not commit another federal, state, or local crime; (2) Defendant shall not unlawfully possess a controlled substance; and (3) Defendant

must refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

The Petition asserts that Defendant violated these conditions because on May 21, 2019, Defendant was arrested for his involvement in a drug-trafficking organization operating in the Eastern District of Texas. Investigators intercepted telephone calls between Defendant and other members of the conspiracy in which they negotiated and completed the sale of at least five kilograms of cocaine. These transactions occurred between June 2018 and January 2019, while Defendant was serving a term of supervised release. Defendant was indicted in the Eastern District of Texas. *See United States v. Nieto et al.*, Crim. No. 4:19-cr-00068-ALM-CAN-29. Defendant pled guilty to Conspiracy to Distribute or Possess with Intent to Distribute or Dispense Cocaine, and on December 24, 2021, Judge Mazzant sentenced Defendant to one hundred twenty (120) months imprisonment, followed by a term of five (5) years of supervised release. The term of imprisonment was ordered to run consecutively with any sentence imposed in the revocation of Defendant's supervised release in this case.

At the April 5, 2022 hearing, Defendant entered a plea of true to allegations 1 through 3. *See* Dkt. 15. Defendant also consented to revocation of his supervised release and waived his right to appear before the District Judge. *See* Dkt. 16. The Court finds that Defendant has violated the terms of his supervised release, and thus, his supervised release should be revoked.

### **RECOMMENDATION**

Pursuant to the Sentencing Reform Act of 1984, and having considered the arguments presented at the April 5, 2022 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eighteen (18) months to be served

consecutively with any other term of imprisonment imposed, with no additional term of supervised release to follow. The Court further recommends Defendant be placed at the Federal Correctional Institute in Seagoville, Texas, or at the Federal Medical Center in Fort Worth, Texas, if appropriate.

**So ORDERED and SIGNED this 6th day of April, 2022.**

A handwritten signature in black ink, appearing to read 'K. Priest Johnson', written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE